
Board of Community Health
Meeting
March 24, 2014

Members Present

Jack Chapman
William Wallace
Clay Cox
Rick Jackson
Allana Cummings
Jamie Pennington

Members Absent

Donna Moses
Norman Boyd
Kiera von Besser

The Board of Community Health held a special called teleconference meeting at 9:30 a.m. at the Department of Community Health, Fifth Floor Board Room, 2 Peachtree Street, N.W., Atlanta, Georgia. Commissioner Clyde L. Reese, III was also present. (An agenda and a List of Attendees are attached hereto and made official parts of these Minutes as Attachments #1 and #2). Vice Chairman Bill Wallace presided and called the meeting to order at 9:33 a.m.

Opening Comments

None to report

Committee Reports

None to report

Commissioner's Report

Commissioner Reese thanked the Board as well as members of the public viewing the meeting via web-ex for taking time to participate in this Special Call Board meeting to discuss this time sensitive issue of Rural Free Standing Emergency Departments Rule change. The Commissioner further stated that the issue of Rural Healthcare access has been an issue for many years and this year we are beginning to take substantive steps to address the issue. The Governor announced on March 19, 2014 before the General Assembly Legislative Rural Caucus, the initiative that the Department of Community Health (DCH) would undergo and begin the process of addressing access to healthcare in rural areas.

1. The Department of Community Health (DCH) will appoint a special representative from DCH who will serve as the point person on a daily basis as we move forward with the issue of access to healthcare in rural communities.

2. The Department of Community Health (DCH) will establish a Rural Hospital Stabilization Committee which will work with the department to keep track of financial difficulties of rural hospitals to determine when the department may step in and decide what actions will be taken for individual facilities and with regard to holistic issues.

3. The Department of Community Health (DCH) will introduce and ask for approval for initial public comment amendments to our licensure rules for hospitals which will allow financially distressed rural hospital facilities to downgrade their services in order to maintain a healthcare infrastructure in their communities. This will be available for hospitals that will be closing, under threat of closing or those that have been closed within the past 12 months.

Commissioner Reese stated that the Chief of the Healthcare Facility Regulation Division, Mary Scruggs, will provide detail, but wanted to outline the significance of the 12 months and why we are trying to deal with the time as expeditiously as possible. The Department of Community Health (DCH) is able to allow these applicable facilities to downgrade their services because they have an existing underlying license as a hospital.

The Department of Community Health (DCH) Healthcare Facility Regulation Division consists of two parts:

1. Licensure
2. Certificate of Need Program

When a hospital closes, its Certificate of Need Authorization is good for 12 months. After that point hospital facilities lose the foundation infrastructure that we are able to work without opening up the Certificate of Need statute, Certificate of Need regulations or having to do this by legislation. The clock is ticking for many hospital facilities in reference to that time period.

Commissioner Reese stated the Department of Community Health (DCH) composed a proposal for public comment that will be presented by Mary Scruggs, Division Chief of Healthcare Facility Regulation Division followed by a request of the Board's favorable consideration of initial adoption.

Mary Scruggs presented proposed revised Rules and Regulations for Hospitals, Chapter 111-8-40, to the board for initial adoption. The rules changes are being proposed pursuant to the authority granted the Department of Community Health in O.C.G.A. §§ 31-2-5 and 31-2-7.

The revised rules identify and define rural free standing emergency departments. The revised rules allow any rural hospital to downgrade its existing scope of services to

operate as a rural free standing emergency department provided that the hospital is currently licensed by the Department of Community Health as a hospital or was previously licensed by the Department of Community Health as a hospital and such license expired within the previous 12 months. The hospital must be located in a rural county and no more than 35 miles from a licensed general hospital.

The revised rules identify special requirements applicable to rural free standing emergency departments as well as additional services that a rural free standing emergency department may provide, including elective, out-patient surgical treatment and procedures for periods continuing less than 24 hours and basic obstetrics and gynecology treatment and procedures for periods continuing less than 24 hours.

A public hearing to receive comments on the revised rules will be held on April 15, 2014 at the Department of Community Health (2 Peachtree Street, N.W., Atlanta, Georgia 30303) in the 5th Floor Board Room. The rules will be presented to the board for final adoption on April 29, 2014.

Rick Jackson MADE a MOTION to approve for initial adoption Rural Free Standing Emergency Departments Rule change. Clay Cox SECONDED the MOTION. ON THE MOTION, the yeas were 6, nays 0, and the MOTION was APPROVED. (A copy of Rural Free Standing Emergency Departments Rule change is attached hereto and made an official part of these minutes as Attachment #3).

(A copy of Revised Chapter 111-8-40 Rules and Regulations for Hospitals Synopsis of Proposed Rule Changes is attached hereto and made an official part of these minutes as Attachment #4)

(A copy of Revised Chapter 111-8-40-.02 Definitions is attached hereto and made an official part of these minutes as Attachment #5)

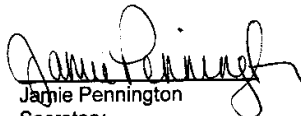
New Business

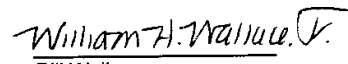
None to report

Adjournment

There being no further business to be brought before the Board, Vice Chairman Wallace adjourned the meeting at 9:51 a.m.

THESE MINUTES ARE HEREBY APPROVED AND ADOPTED THIS THE 10th DAY OF April, 2014.


Jamie Pennington
Secretary


Bill Wallace
Vice Chairman

Official Attachments:

- #1 List of Attendees
- #2 Agenda
- #3 Rural Free Standing Emergency Departments Rule Change Public Notice
- #4 Revised Chapter 111-8-40 Rules and Regulations for Hospitals Synopsis of Proposed Rule Changes
- #5 Revised Chapter 111-8-40-.02 Definitions